

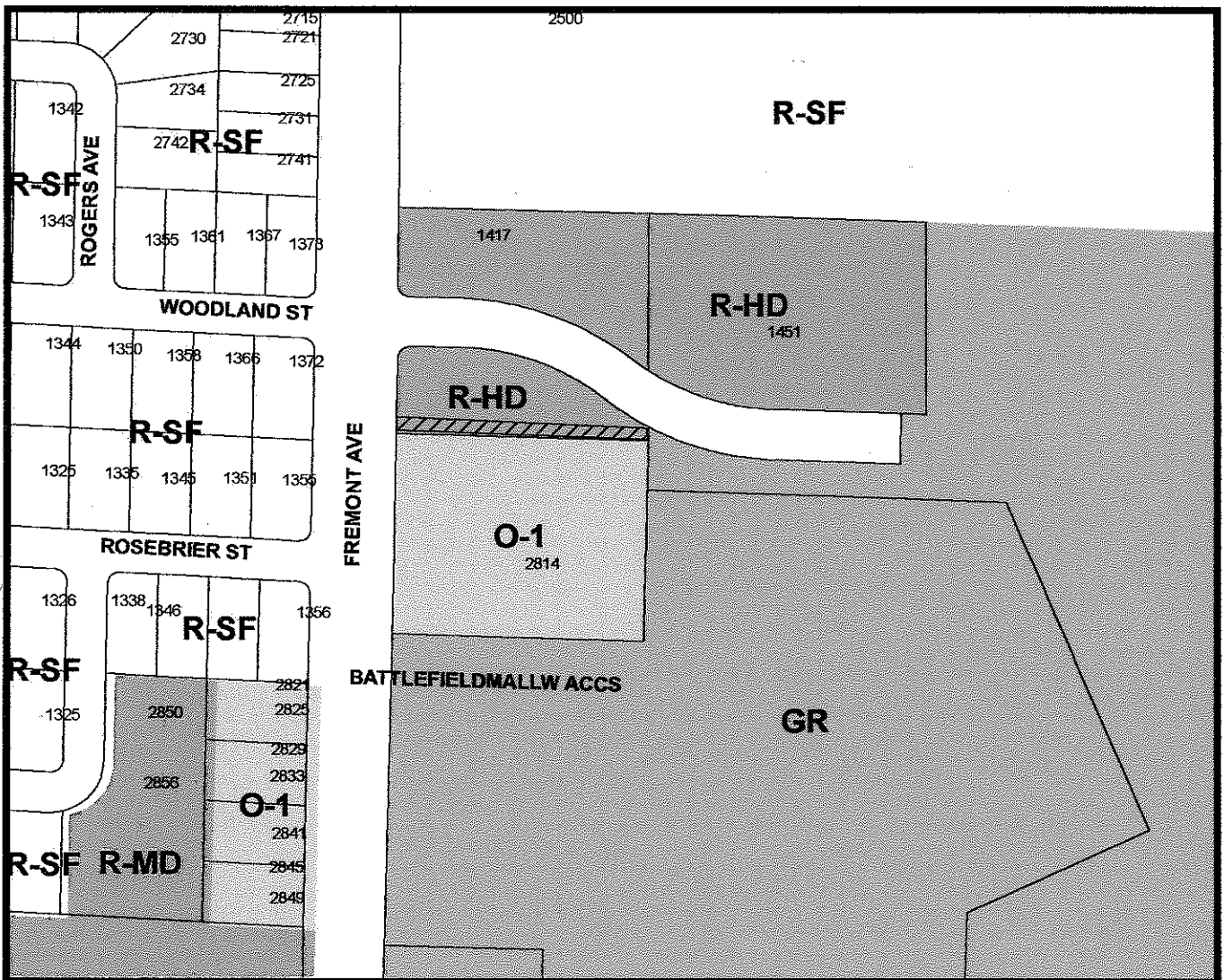
# Zoning & Subdivision Report

Planning & Development - 417/864-1611  
840 Boonville - Springfield, Missouri 65801

## Relinquish Easement 743

Location: 2800 block e/s S. Fremont Avenue

### LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

# Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611  
840 Boonville Avenue ~ Springfield, Missouri 65801

## **REQUEST TO RELINQUISH EASEMENT NUMBER 743**

DATE: October 29, 2009

PURPOSE: To relinquish a utility easement

### **BACKGROUND:**

LOCATION: 2800 block e/s of S. Fremont Avenue

APPLICANT: Kenneth & Dorothy Hamilton

### **RECOMMENDATION:**

The request be **approved**.

### **FINDING:**

The request meets the approval criteria listed in Attachment B.

### **STAFF CONTACT PERSON:**

Daniel Neal  
Senior Planner

Attachment A: Background report

Attachment B: Approval criteria

Exhibit 1: Legal description

Exhibit 2: Drawing of the site

ATTACHMENT A  
RELINQUISH EASEMENT NO. 743  
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a utility easement to facilitate the combination and development of the adjacent lot.

SANITARY SERVICES COMMENTS:

No objection to relinquishing the utility easement.

CITY UTILITIES

There is an existing overhead electric line within the easement, serving the house to the south of the easement.

UPDATE 10/29/2009: City Utilities will not object to this relinquishment as the intent is to demolish the house the electric line in the easement serves. When the house is demolished the line can be retired. Should the line not be retired, and relocation of this line (as compared to retirement) be required it will be at the property owner's expense. The relinquishment will not change CU's policy on retirement and relinquishment.

STORM-WATER COMMENTS:

Relinquishment of this easement does not impact storm water.

TRAFFIC ENGINEERING COMMENTS:

Traffic Engineering has no objections to the relinquishment of the utility easement.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect utilities.
2. The existing utility easement was placed along the lot line at the time the property was platted. The property owner to the south would like to purchase the property and is ready to develop the property with a building which will cross the property line. The existing utility easement prevents construction because the building cannot be constructed over an easement. There are no utilities within the easement that serve anything other than the house on the lot to the south. City Utilities supports the relinquishment of the utility easement.
3. No one has objected to this request.

ATTACHMENT B  
RELINQUISH EASEMENT NO. 743  
APPROVAL CRITERIA

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of these easements.

STAFF RESPONSE:

No one has objected to the relinquishment of this utility easement.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide utility service.

STAFF RESPONSE:

The utility easement is not needed when the house is demolished as part of the redevelopment of this lot and the lot to the south.

3. That the retention of the easement no longer serves any useful public purpose.

STAFF RESPONSE:

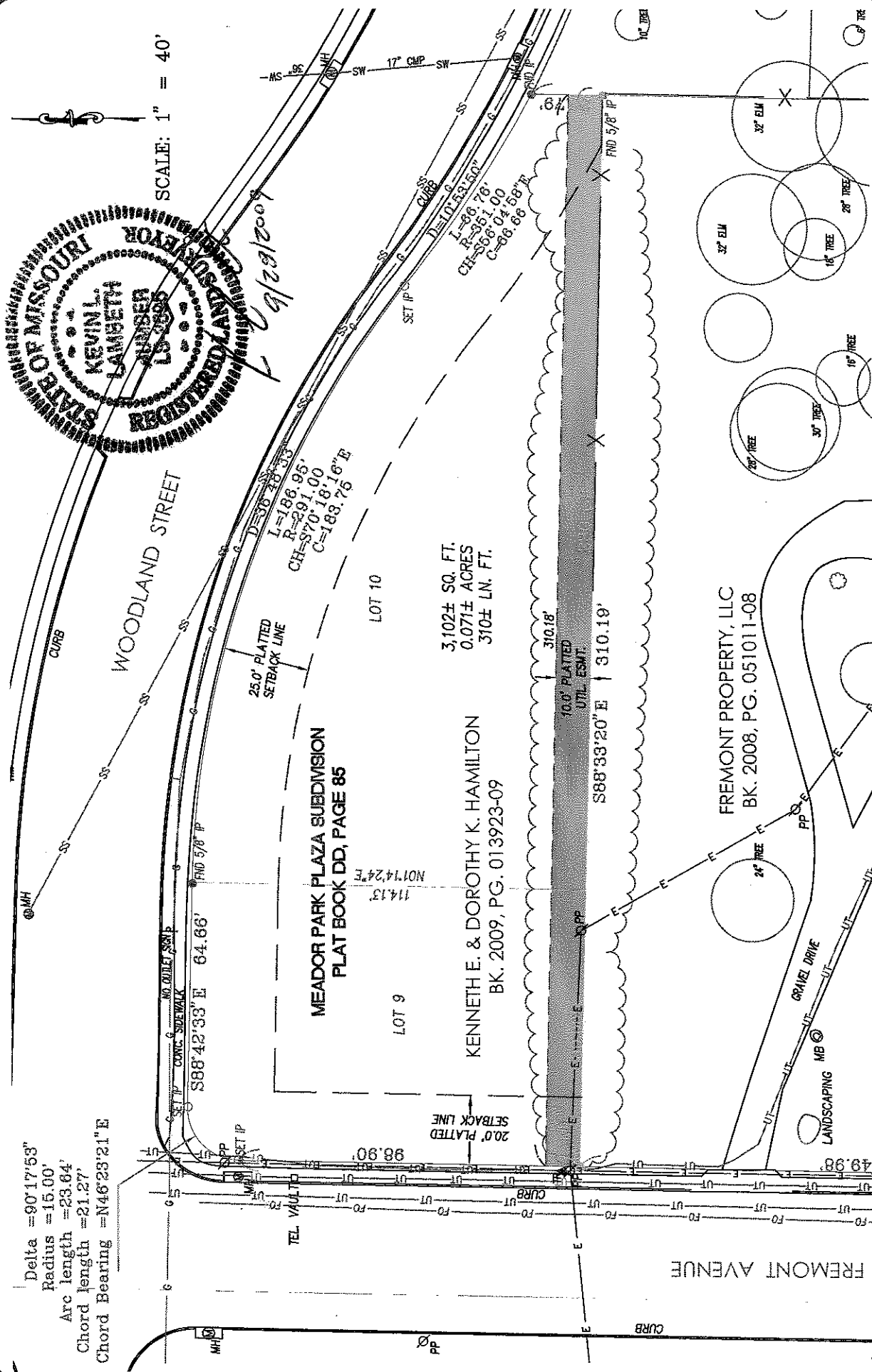
The retention of the subject easement no longer serves a public purpose.

RELINQUISH EASEMENT NO. 743  
EXHIBIT 1

DESCRIPTION OF EASEMENT TO BE RELINQUISHED:

A 10.00 FOOT WIDE UTILITY EASEMENT BEING A PART OF THE GRANTOR'S TRACT OF LAND AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2009 AT PAGE 013923-09 AND SAID UTILITY EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 10.00 FEET OF LOTS 9 AND 10 OF MEADOR PARK PLAZA, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT FILED IN PLAT BOOK DD AT PAGE 85, GREENE COUNTY RECORDER'S OFFICE, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. CONTAINING 3,102 SQUARE FEET OR 0.071 ACRES AND 310 LINEAR FEET, MORE OR LESS.



**ANDERSON**   
**ENGINEERING, INC.**

**ENGINEERS • SURVEYORS • LABORATORIES • DRILLING**  
20415 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741

**RICK GREG**  
**EASEMENT RELINQUISHMENT**  
**SKETCH**

FREMONT AVE., AND WOODLAND ST., SPRINGFIELD, MO.

DRAWN BY: BAC  
DATE: 9-11-09  
CLIENT NO: 37995

FIELD BY: JE  
FIELD BK: 532  
DRAWING NO: 108468.DWG